## Fiscal Estimate - 2005 Session

X	Original	<b>2</b>	Updated		Corrected		Supplemental
LRB	Number	05-3811/1		Introd	luction Numb	oer A	B-826
Descr Prohib vehicle	iting a persor	n responsible fo g the child unatt	r a child's welfare v ended and providir	while the	child is being tra	insported	in a child care
Fiscal	Effect						
	No State Fisc Indeterminate Increase E Appropriat Decrease Appropriat Create Ne	Existing tions Existing	Increase E Revenues Decrease Revenues		to abs	se Costs orb within Yes ase Costs	- May be possible agency's budget No
	Indeterminate  1. Increase Inc	e Costs ive ⊠ Mandato se Costs ive □ Mandato	3. Increase R  y Permissive 4. Decrease I y Permissive	Mand Revenue	datory ☐ Tov ☑ Cou ☐ Sch	ment Uni vns	ts Affected Village Cities Others WTCS Districts
Fund S	Sources Affe	cted	PRS SEG	SE	Affected Ch.	20 Appr	opriations
Agenc	y/Prepared E	Зу	Autho	orized S	ignature		Date
SPD/ Mike Tobin (608) 266-8259 Krista				Ginger (608) 264-8572			11/22/2005

## Fiscal Estimate Narratives SPD 11/23/2005

LRB Number <b>05-3811/1</b>	Introduction Number	AB-826	Estimate Type	Original					
<b>Description</b> Prohibiting a person responsible for a child's welfare while the child is being transported in a child care vehicle from leaving the child unattended and providing penalties									

## **Assumptions Used in Arriving at Fiscal Estimate**

The State Public Defender (SPD) provides legal representation in criminal cases and other specified proceedings in which the loss of personal liberty or parental rights may occur. For adult clients, the SPD must complete a financial eligibility evaluation before appointing an attorney. SPD services are constitutionally required because in the case types handled by SPD, a defendant without the financial means to hire an attorney has the right to have an attorney appointed. Therefore, any bill that would increase the number of cases handled by SPD would increase SPD costs.

This bill creates new criminal offenses for which SPD will be required to appoint attorneys. The projected SPD cost for each new felony case that would occur is \$573.90(based on FY05 costs, assuming that the relative complexity of defending cases under this law does not differ significantly from average felonies in the Class D-I classifications).

Costs to counties will result from appointment of counsel for defendants ineligible for SPD, but constitutionally entitled to representation under State v. Dean. Incarceration costs will also occur for defendants held in jail (both pending court hearings and serving sentences).

We are not aware of any existing data to predict the number of new cases resulting from this bill, but we could track this number in the future.

**Long-Range Fiscal Implications**